



# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Mark Johnson, *Superintendent of Public Instruction*

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**To:** Federal Program Directors

**From:** Talbot Troy, Equitable Services Ombudsman  
North Carolina Department of Public Instruction

**Date:** February 19, 2020

**Subjects: OUTREACH TO PRIVATE SCHOOLS  
CARRYOVER OF EQUITABLE SERVICE FUNDS**

This memorandum addresses outreach and carryover issues related to equitable services funded by the following grants:

- Title I-A for economically disadvantaged schools
- Title I-C for migrant education
- Title II-A for teacher and school leader improvement
- Title III-A for English learners and immigrant students
- Title IV-A for enrichment, technology and school safety
- Title IV-B for afterschool programs.

In addition to reviewing the information below, districts are encouraged to check the [DPI equitable services web site](#) for updates to the Frequently Asked Questions and other documents that will be available this month.

## **The list of private schools to invite for consultation**

The official list of schools to be invited to consult for 2020-21 equitable services is attached. It is also available on the [DPI equitable services web site](#) for convenient reference. No changes will be made to this list unless the Department of Administration notifies DPI of an error. In such a case, DPI will notify affected districts of any additional action required on their part.

The Department of Administration has advised DPI that this list includes all legally operating private schools in North Carolina. ESSA does not authorize school districts to offer equitable services to any other schools or programs, such as homeschools. District administrators who are contacted by an unlisted school interested in equitable services should contact DPI before making any decisions about providing equitable services to that school.



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### Responses from private schools

If a private school responds in writing to an invitation, that response is documentation that the district made the necessary effort to reach out to the private school. It must be clear that the response is from the private school and that it refers explicitly to an invitation to consult about equitable services. Acceptable forms of written response to an invitation are:

- an email
- a signed hard copy of a letter or memo
- a signed hard copy of an RSVP form provided to the private school with the invitation

Once a response is received, no additional invitation is required. However, if the response indicates that the private school is interested in consulting but is unable to attend any of the scheduled meetings, the district should make reasonable efforts to offer an alternative time for consultation.

If a response indicates that a school is not interested in consulting, Section D on the *Affirmation of Notification, Invitation and Consultation* form for that school must be checked by the district administration. No additional attempts to invite the school to consult are required until the next year's round of invitations.

### Non-responses to invitations

The district must document at least three attempts to invite a listed private school to consult before determining that the school is non-responsive. **At least one of these invitations must be sent via a verifiable delivery service** (certified US mail, FedEx, UPS, etc.) with a receipt of delivery showing the time of delivery and person at the private school who accepted delivery.

The other invitations may be extended via:

- regular US Mail to the mailing address provided on the list of private schools
- email to an address that the private school has provided to the district or one that appears on the private school's web site or
- hand delivery from a district administrator to the private school at the address provided on the list of private schools.



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Note that the requirements above are only applicable in cases where private schools have not responded. If there is a documented record of a response, as described in the previous section, there are no requirements regarding the method or number of invitations sent by the district.

### **Completing the Affirmation of Notification, Invitation and Consultation**

Districts are encouraged to use the most recent version of the form (revised February 2020) that is available on the [DPI equitable services web site](#), although the form provided in CCIP for 2019-20 is also acceptable. Each district must provide one form for each private school that is located within its enrollment areas. District administrators must enter the information at the top of the form and complete Section E at the bottom of all forms.

Only private school officials may fill in Sections A, B and C (except for the “not applicable” boxes in Section B, which should be filled in by the district, as appropriate).

Section D must be filled in by the district administration when Sections A, B and C are not completed by private schools for any of the reasons listed in Section D. This section must not be filled in if Sections A, B and C are completed by the private school official.

Preferably, the form should be completed during the initial consultation. However, if a private school official needs to take the form with them to confer with their stakeholders, they should agree with the district on specific arrangements to promptly return the completed form, either as a hard copy or as a PDF sent via email. **Once completed, these forms should be scanned into one PDF document for uploading into CCIP during the application process.** No other documentation related to the consultations with private school should be uploaded into CCIP.

### **Setting and following deadlines**

While some districts may complete their outreach earlier, DPI recommends the following parameters for setting deadlines:

- On or before March 9, the first invitations to consult should be sent. (If additional attempts are required, they should be spaced approximately two weeks apart.)
- On or before May 1, all responses to invitations to consult should be received by the district. **Private schools should be notified of this due date in the invitation to consult.**



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- On or before May 31, all private schools should finalize their decisions about participating, and all *Affirmation* forms should be completed. School districts may set this deadline earlier than May 31 but must consider each private school's scheduling needs and provide adequate time for meaningful consultations. **Private schools should be notified of this due date prior to and during the consultation meetings. It should be made clear to the private schools that failure to consult, indicate their intention to accept funds and complete the Affirmation form by this deadline may result in exclusion of the school from participation in equitable services for the upcoming academic year.**

Because equitable share amounts for the upcoming year are based on the current year's enrollments and student information, it is reasonable to expect that all Affirmation forms will be ready for upload and all equitable share amounts will be calculated when CCIP opens for consolidated applications.

### **Advising private schools about equitable share calculations**

Prior to the initial consultation meeting, private school officials should be advised to bring the information that will help in calculating the equitable share amounts.

*For calculating Title I equitable share amounts*, the district is required by federal law to ascertain that the count of low-income students is valid. Therefore, private school officials will need to provide:

- The number of low-income K-12 students and, for each one, their grade level and home address regardless of which district the child lives in. Pre-k students are not included in this count. DPI recommends that specific student names are not be included in any documentation that the private school provides for the district to keep in its files.
- A description of the private school's method of determining who their low-income students are.

If the officials do not have the above information, the district may need to explain how it can be determined. **The method used by the private school does not have to be the same as that used by the district.**

*For Title II and Title IV-A equitable share amounts*, the private school's total k-12 enrollment for the current academic year will be needed. Pre-kindergarten children are not included this count.



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For *Title III-A*, the number of English Learners and the number of immigrant students are two separate counts. The district will need to make sure the private school understands both of these definitions and to bring the appropriate counts to the meeting or be prepared to collect it with any needed assistance from the district. Pre-kindergarten children are not included in this count.

The calculations for *Title I-C* (Migrant Education Program) and *Title IV-B* (21st Century After-school Programs), the calculations are more complicated. Districts are encouraged to contact DPI at 919-807-3957 for guidance if a private school indicates an intention to accept equitable services from either of these grants.

Private schools should be reminded that projected allotments for the upcoming year are used for estimated equitable share calculations during the consultation meetings. Districts must recalculate and notify the participating schools when the planning allotments are announced and again when the actual allotments are announced.

### **Expenditure and carryover of equitable share funds**

During consultation, districts are advised to notify private schools that funds should be obligated during the year for which they are appropriated. Districts and private schools should set reasonable dates related to expenditures throughout the year, such as invoice due dates and deadlines for submitting periodic time logs. It is the district's responsibility to ensure that plans and timelines are being followed by all parties.

Previous guidance from US Department of Education indicated that only under "extenuating circumstances" could equitable services funding be carried over and remain available for equitable services during the following year. However, more recent guidance states that, in most cases, equitable funds left unobligated at the end of the fiscal year must be identified as carryover that will be made available for equitable services. Because it is the district's responsibility to ensure proper and timely expenditure of the funds, we believe that the circumstances that would lead to unobligated funds not remaining with equitable services will be very rare. We are continuing to review guidance from US Department of Education and will update districts accordingly.